

### **ELECTION**

The Examiner withdrew the previous restriction requirement as improper, since there was some question as to the correct dependence of various claims. The Examiner therefore issued a new restriction requirement pursuant to 35 U.S.C. § 121, dated June 7, 2006, requiring Applicants to elect a single, disclosed group of claims for prosecution on the merits, and to further elect a single species within the drawings for prosecution, to which species the claims shall be restricted if no generic claim is finally held allowable. Applicants respectfully traverse this election requirement as improper, but provisionally elect Group-II, which, at a minimum, includes Claims 9-15 as amended but should also include Claims 16 and 17 as amended (thus, Claims 9-17), and Applicants also provisionally elect the corresponding Species-i, depicted in Figures 10a and 10b.

### **REMARKS**

Applicants' election requires the examination of Claims 9-15, at a minimum, and should also require the examination of Claims 16 and 17, as Claims 15 and 16 have been amended to correct the dependency of Claims 15, 16, and 17 from Claim 9 (rather than Claim 8).

Group-II claims and Species-i figures are drawn to a method for maximizing slicing yield while using a transverse slicer. Although original Claims 15 and 16 were inadvertently submitted as depending from Claim 8, and Claim 17 inadvertently depended from Claim 8 via Claim 16, Applicants clearly intended for dependent Claims 15, 16, and 17 to relate to independent Claim 9. This is clear from the language in Claims 15 and 16 referring to "said feeding of step c)" and "further wherein X in step d)," which language appears in Claim 9 but does not appear in Claim 8 or Claim 1. Applicants have amended Claim 15 and Claim 16 to correctly state their dependency from Claim 9 (not Claim 8). Applicants therefore believe that

the provisionally-elected Group-II claims and Species-i figures should provide for the examination not only of Claims 9-15 but of Claims 9-17. However, Applicants believe that an examination of all of the claims would not impose an undue burden on the Examiner. Applicants therefore respectfully request reconsideration and withdrawal of the election requirement.

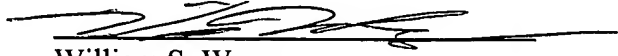
### CONCLUSION

A First Office Action on the merits is now respectfully awaited. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is cordially invited to contact William S. Wang or Colin P. Cahoon at 972-367-2001.

The Commissioner is hereby authorized to charge any payments that may be due or credit any overpayments to CARSTENS & CAHOON, L.L.P. Deposit Account 50-0392.

Respectfully submitted by:

Dated: July 7, 2006



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